

PATENT

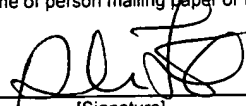
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No.: SCHROTH-5

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|-----------------------------------|---|
| In re Application of: |) |
| |) |
| CARL-JÜRGEN SCHROTH |) |
| |) |
| Filed: Simultaneously Herewith |) |
| |) |
| For: APPARATUS FOR POSITIONING AN |) |
| OCCUPANT OF A VEHICLE |) |

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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|--|
| Express Mail mailing label number: EV 375169683 US |
| Date of Deposit: April 14, 2004 |
| I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450". |
| ANTONELLA FUSILLO [Name of person mailing paper or fee] |
|  [Signature] |

S I R:

In accordance with 37 C.F.R. 1.56, applicant wishes to call the attention of the Examiner to the following reference A) which was cited in a German Office Action issued by the German Patent Office. Applicant does not admit that any of the cited documents constitutes prior art against the pending application.

| | Country: | Patent or Appl. No: | Patentee or Applicant: | Issue or Filing Date: |
|----|----------|------------------------|---------------------------|--------------------------|
| A) | Germany | DE 197 17 782 C2 | Wegmann | 11-05-1998 |

A copy of this reference is submitted herewith along with form PTO-1449. The Examiner is requested to initial the attached form PTO-1449 and to return a copy of the initialed document to the undersigned as an indication that the attached reference has been considered and made of record.

- ☒ This Information Disclosure Statement is filed within three months of the filing date of a national application other than a continued prosecution application under 1.53(d), so that no fee under 37 C.F.R. §1.97 is due.
- ☐ This Information Disclosure Statement is filed within three months of the date of entry of the national stage as set forth in 1.491 in an international application, so that no fee under 37 C.F.R. §1.97 is due.
- ☐ This Information Disclosure Statement is filed before the mailing of a first Office Action on the merits, so that no fee under 37 C.F.R. §1.97 is due.
- ☐ This Information Disclosure Statement is filed before the mailing of a first Office Action after the filing of a request for continued examination under §1.114, so that no fee under 37 C.F.R. §1.97 is due.
- ☐ This Information Disclosure Statement is filed after the issuance of a first office but before issuance of a final action under §1.113, or a notice of allowance under §1.311.

☐ This Information Disclosure Statement is submitted after the mailing of a final action or a notice of allowance, but before payment of the issue fee.

☐ The undersigned submits the following statement requesting consideration of this statement:

The undersigned hereby states:

☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement;

☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the information disclosure statement.

☐ The fee of \$180.00 set forth in 1.17(p).

☐ The Commissioner is hereby authorized to charge the fee as set forth in 1.17(p), and any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-0502.

☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 06-0502.

In addition, applicant notes with respect to any information that is not in English language as follows:

Reference A) describes a vehicle having a rectangular seat support frame (3) installed horizontally in the longitudinal direction of the vehicle. On its rear corner facing the longitudinal centre axis, the seat frame is connected by a mounting to a guide rail (2) vertically fixed in the vehicle and along which is effected the raising and lowering movements. The lifting unit has a linear actuator (4) parallel to the guide rail and driven by an electric motor (5).

The above-identified application discloses and claims an invention patentable over this prior art.

Entry of the references above set forth into the file of the above application is believed to be in order and is respectfully requested.

Respectfully submitted

By: 

Henry M. Feiereisen
Agent for Applicant
Reg. No. 31,084

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HMF:af

Form PTO-1449U.S. Department of Commerce
Patent and Trademark Office**INFORMATION DISCLOSURE CITATION**

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| Attorney's Docket No. SCHROTH-5 | Applicant CARL-JÜRGEN SCHROTH | Appl. No. |
| Filing Date | Group | Examiner |

U.S. PATENT DOCUMENTS

| Examiner Initial | Document Number | Date | Name | Class | Subclass | Filing Date, if appropriate |
|------------------|-----------------|------|------|-------|----------|-----------------------------|
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FOREIGN PATENT DOCUMENTS

| | Document Number | Date | Country | Class | Subclass | Translation |
|--|------------------|------------|---------|-------|----------|-------------|
| | DE 197 17 782 C2 | 11-05-1998 | Germany | | | no |
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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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Examiner:**Date considered:**

*Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.